v. *Daniel*, 82 N. C. 152; *Condry* v. *Cheshire*, 88 N. C. 375; *Taylor* v. *Eatman*, 92 N. C. 601; *Arrington* v. *Arrington*, 114 N. C. 116) it seems to have little support from many other states and the following cases hold that the owner of an equitable title may not maintain ejectment: *Virginia Dray Co.* v. *Crane's West Coal Co.* (1904), Va. —, 46 S. E. Rep. 393; *Carter* v. *Ruddy*, 166 U. S. 493; *Tennessee Coal Co.* v. *Tutwiler*, 108 Ala. 483; *Bulin* v. *Chisny*, 48 Cal. 467; *Barro* v. *Fennell*, 24 Fla. 378; *Kirkland* v. *Cox*, 94 Ill. 400; *Paisley* v. *Holzshu*, 83 Md. 325; *Buell* v. *Irwin*, 24 Mich. 145; *Bennett* v. *Gray*, 36 N. Y. Supp. 372; *Bank* v. *Dowling*, 45 S. C. 677; *Gillett* v. *Treganza*, 13 Wis. 472.

EVIDENCE—ADMISSIONS—ABANDONED PLEADINGS.—Where an action for injuries to cattle shipped by defendant was tried on a second amended petition, *Held*, that the original and first amended petition were admissible against the plaintiff, the statements therein being relevant as admissions against interest, notwithstanding the fact that the pleadings were neither signed nor verified. *Texas & Pac. Ry. Co. et al.* v. *Coggin* (1903), — Tex. Civ. App. —, 77 S. W. Rep. 1053.

According to what seems to be the weight of authority a pleading which has been abandoned or superseded is competent in evidence against the party making it, like any other admission or declaration of the pleader, subject of course to his explanation. ABBOTT'S CIVIL JURY TRIALS, p. 296; 8 ENCYC. OF PLEAD. AND PRAC. 27; *Ludwig* v. *Blackshere*, 102 Iowa 366, 71 N. W. 356; *Juneau* v. *Stunkel*, 40 Kan. 756, 20 Pac. 473; *Walser* v. *Wear*, 141 Mo. 443, 42 S. W. 928; *Woodworth* v. *Thompson*, 44 Neb. 311, 62 N. W. 450; *New York & L. C. Trans. Co.* v. *Hurd*, 44 Hun. 17; *Lindner* v. *Insurance Co.*, 93 Wis. 526, 67 N. W. 1125. According to a number of decisions in order that the pleadings of a party may be introduced as admissions, it should appear that the facts were inserted in such pleadings by his direction, or with his knowledge and consent; that is, they must be signed or verified by him, or in some manner brought home to him. *Vogel* v. *Osborne*, 32 Minn. 167, 20 N. W. 129; *Corbett* v. *Clough*, 8 S. D. 176, 65 N. W. 1074; *Geraty* v. *Nat'l Ice Co.*, 16 App. Div. 174, 44 N. Y. Supp. 659. However, in some courts such abandoned or superseded pleadings are not admitted whether they are verified or not, on the ground that a pleader should always be permitted to correct his pleadings without having any burden thrown upon him. *Mecham* v. *McKay*, 37 Cal. 154; *Miles* v. *Woodward*, 115 Cal. 308, 46 Pac. 1076; *Little Rock, etc. Ry. Co.* v. *Clark*, 58 Ark. 490, 25 S. W. 584. See GREENLEAF EVIDENCE, 15 ed. p. 246, note, where it is said that generally pleadings are regarded, "so far as the suits in which they are filed are concerned, as mere formulas for the solution of the case, and to limit and make definite th issues to be tried by the jury." In Massachusetts this reasoning has been adopted by legislative enactment, and in that state the pleadings are held not to be evidence on the trial and cannot be commented upon by counsel to the jury. It is submitted that the above quotation expresses the logical purpose of the pleadings, and it follows that they should not be admitted as evidence in the same case in which they are filed, and not in any case unless they are signed, verified, or in some way brought home to the party against whom they are sought to be introduced. The decision in the principal case is, however, well supported by authority.

GUARDIAN—SALE OF WARD'S REALTY—OATH.—A sale of lands belonging to minors was conducted by an attorney who was authorized by a foreign guardian. Sec. 55, Chap. 23 Comp. St. of Neb. 1901, provides that "Such